

WAC 173-443-080 Manufacturer notification. (1) A manufacturer of a product or equipment that contains, uses, or will use HFCs or other substitutes prohibited for an end-use listed in WAC 173-443-040 or a representative on behalf of the manufacturer, must report to ecology consistent with WAC 173-443-090 and 173-443-100.

(2) It is only necessary for one person or entity to report with respect to a particular product or equipment.

(3) In the event of a failure by at least one person to provide a complete, accurate, and timely report for a product or equipment within a specific end-use, ecology will require information from the manufacturer associated with the product or equipment in the following order of precedence:

(a) The person or entity that manufactured, produced, or assembled the product or equipment, unless it has no presence in the United States.

(b) The person or entity that marketed the product or equipment under its name or trademark, unless it has no presence in the United States.

(c) The first person or entity, whether an importer or a distributor, that owned the product or equipment in the United States.

(4) This section in no way limits the liability of any manufacturer as defined in WAC 173-443-030 associated with a product or equipment from enforcement under chapter 70A.15 RCW.

[Statutory Authority: Chapters 70A.45 and 70A.15 RCW. WSR 21-01-085 (Order 19-04), § 173-443-080, filed 12/10/20, effective 1/10/21.]